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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/715,652	11/17/2003	Toshiyuki Chikuma	CFA00048US	5363

7590 11/09/2005  
Canon U.S.A. Inc.  
Intellectual Property Department  
15975 Alton Parkway  
Irvine, CA 92618-3731

EXAMINER
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NGUYEN, LAMSON D

ART UNIT	PAPER NUMBER
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2861

DATE MAILED: 11/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/715,652

Applicant(s)

CHIKUMA ET AL.

Examiner

Lamson D. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on Amendment dated 08/29/05.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-11 are rejected under 35 U.S.C. 102(b) as being anticipated by Torpey et al. (6,290,330).

***Torpey et al teach a recording method, a recording system, and image processing apparatus comprising:***

#### **Claim 1:**

- The step of obtaining dot data of a color material forming the positional information image, according to record data for recording the positional information image, according to record data for recording the positional information (figure 2, steps 30, 32, and 34)
- The conversion step of converting dot data of a color material forming said other image so that the dot density of the other image is reduced, on the basis of the dot data of the color material forming the positional information (figure 2, steps 36 and 38; figures 3-5 teach pixel windows 40, 50, and 60 are converted to windows 42, 52, and 62 based on the position of the border of two colors to reduce dot density)

- The recording step of recording the images on the recording medium, according to the record data of the positional information image and the converted data of the other image (column 6, lines 17-20 teach “window 42 shows pixel block of window 40 after a substitution operation wherein within a 2-pixel border every other pixel in the black separation is turned off and replaced with alternating cyan and magenta pixels in the composite image.”)

**Claim 2:**

- in the conversion step, a dot of said the other image provided in positions where the dots of the positional information image are provided is removed (figure 4 teaches in the converted pixel block 52, in column 56, a cyan drop is removed alternately)

**Claim 3:**

- In the conversion step, dots of said the other image in and adjacent to positions where the dots of the positional information image are provided are removed (figure 4 teaches in the converted pixel block 52, drops of cyan are removed in columns 54 and 56)

**Claim 4:**

- in the conversion step, the duty of the dots of the other image provided in a predetermined area adjacent to the dots of the positional image is reduced

(figure 4 teaches in the converted pixel block 52, drops of cyan are removed in columns 54 and 56, which inherently means the duty of cyan dots is reduced)

**Claim 5:**

\* in the recording step, the color material forming the positional information image contains carbon black (figures 3-5 teach ink forming the border or the positional image black, as well as yellow)

Claims 6-11 are rejected based on the rejection of method claims 1-5.

***Response to Arguments***

Applicant's arguments filed 08/29/05 have been fully considered but they are not persuasive.

On page 3, second paragraph of the applicant's arguments, the applicant argues that examiner's applied art of Torpey et al do not teach the feature of "not printing dot data of an ordinary image when the dot data of the ordinary image overlaps with the dot data of a positional information image." However, this particular feature is not claimed in any of the claims of the instant application.

On page 4, first paragraph of the arguments, the applicant argues that Torpey et al do not teach the step of obtaining dot data of a color material forming the positional information image, according to record data for recording the positional information

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image. The examiner disagrees. The examiner takes it that "positional information image" to be just any type of image that is being printed on a medium, since the claim has not established where the position is. In this instant, the examiner asserts that Torpey's positional information image is the image at the black/color border.

On page 4, second paragraph of the arguments, the applicant argues that Torpey et al do not teach the step of converting dot data of a color material forming the other image so that the dot density of the other image is reduced, on the basis of the dot data of the color material forming the positional information. The examiner disagrees. Figure 4 of Torpey clearly demonstrates that data for certain CY dots adjacent to K dots are not printed. Similarly, in figure 5, certain KK dots adjacent to M dots are being reduced down to K. This means that any less ink or dots not being printed, the density is reduced.

On page 5, first paragraph, the applicant argues that Torpey does not teach "recording images according to the record data of the positional information image and the converted of the other image. Clearly, this teaching is demonstrated in any of figures 3-5, and as explained above.

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not

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mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lamson D. Nguyen whose telephone number is 571-272-2259. The examiner can normally be reached on 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Talbott can be reached on 571-272-1934. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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LAMSON NGUYEN  
PRIMARY EXAMINER  
11/06/08